

says we can fix that problem, that we have an amendment, if he has filled the tree, we cannot offer amendments. If some Senator—let's not pick on the majority leader—brings up a bill, and, let's say, it is an appropriations bill and it does not include money to rebuild the Center Hill Dam or the Wolf Creek Dam—which is not safe at the moment—and I want to stand up and say, Madam President, my constituents would like to see some money to make this dam safe because if it fails it will flood Nashville—if the tree is filled, I cannot do my job.

On our side of the aisle we do not like filling the tree. We are in the minority, and we believe the majority has the right to set the agenda and that we in the minority have the right to offer amendments. The good news is a number of us on both sides of the aisle are working, with the knowledge of the majority leader and the Republican leader, to see if we can make some suggestions privately to Senator REID and Senator MCCONNELL that they can consider and, hopefully, agree that they are good suggestions, and as we begin the new year we will be able to move bills to the floor.

I know the majority leader would like to be able to do that more easily, and maybe some of the fault for that is on our side. We on our side, then, would have a right to do what the minority especially wants to be able to do, which is to offer amendments, because this body is established for the purpose of protecting the rights of the minority.

The Congressional Research Service is looking further into the record, but we do have a record of how majority leaders have used this procedure from 1985 to the present. This data supports my larger point which is—what was used rarely is now used too frequently.

According to CRS, these are the numbers. Since 1985, Senator Bob Dole filled the tree, used the gag rule, seven times; Senator Byrd used it three times; Senator Mitchell used it three times; Senator Lott, when he was majority leader, used the gag rule 11 times—that is, cut off amendments—Senator Daschle only one time; Senator Frist 15 times. Those are the majority leaders. So since 1985 all of those majority leaders used it a combined 40 times.

Our current majority leader, Senator REID, has used it, as of yesterday, 69 times since he became leader in 2007. This trend, this gagging the minority, is the primary cause of the Senate's dysfunction.

I wanted to correct the record. I made a mistake, and I am glad to come and correct it. I don't want Senator Dole to get the credit for that when it appears Senator Byrd actually figured it out. I want to conclude with an optimistic point. I think most of us—and I would include the distinguished Senator from New Hampshire in the chair because we have been together in discussions, bipartisan discussions where we have talked about this—most of us

believe we are fortunate to be here. We know we are basically political accidents. Since we are here we want to do our jobs. We would like to advocate the things that people sent us here to do.

So if we have a bill, and we are in the majority, we would like to get the bill on the floor. If we have something to say, an amendment, if we are in the minority, we would like to have a chance to offer that amendment. So what a number of us are doing, we have been talking about how we can do two simple things: How can we make it easier for the majority leader to get bills to the floor? And how can we make it easier for the minority especially to be able to offer amendments?

If we can do those two things at the beginning of the year, I think the Senate will begin to function much more effectively. It will be a better place to work. We will get our job done in a better way. There will be less finger-pointing, and there will be more results. There will be a change in behavior, which is what we need instead of a change in rules, and it will inspire the confidence of the people of the United States about the kind of job we are doing.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COAST GUARD REAUTHORIZATION

Ms. CANTWELL. Mr. President, I rise to say what an important day it is for the U.S. Coast Guard. Our communities benefit from the services provided by the men and women who have answered the call to serve. The reason I say that is because we have passed a bill that gives 43,000 Active-Duty Coast Guard members the support they need.

It is a worthy tribute to a force of men and women who in 2011 alone saved 3,800 lives across the United States, confiscated 166,000 pounds of cocaine, and secured over 472,000 vessels before they arrived at our ports. This will give the Coast Guard the funds it needs to upgrade equipment and purchase the right vessels for carrying out every mission.

This kind of work exemplifies the heroes such as CPO Terrell Horne of California. Officer Horne died in the line of duty last week while chasing down drug smugglers off the coast of California. Our thoughts are with his family, friends and the Coast Guard.

His actions and service remind us of the dangerous tasks the men and women of the Coast Guard do on a daily basis, and that is why it was so important that we passed this reauthorization bill.

We could not have done this reauthorization without the many hours Senator BEGICH put in to help get it across the finish line. He knows how important the Coast Guard is to the men and women in the Pacific Northwest and to my State, Washington.

The Coast Guard is part of our maritime culture in the Pacific Northwest, and this bill helps the Coast Guard watch over our people, our businesses, and protect our coastline.

I would like to expound on three provisions that were particularly helpful for us in the Northwest. One, this legislation helps to protect the Polar Sea, an icebreaker based in Seattle; two, it helps us clean up tsunami debris that is already hitting the west coast; and three, it analyzes the potential risk of tar sands supertankers, tankers and barges in our waters off Washington State.

In October of this year, I visited Vigor Shipyards in Seattle where our heavy-duty icebreaker fleet is currently serviced. These ships are a testament to American shipbuilding prowess and ingenuity, and, inspecting them up close, we can see they are the most critical tool for the United States in our economic security and national security in the Arctic. We see that building icebreakers means jobs to Washington State, and that is why in this final package, the importance of these ships—the Polar Sea in particular was prioritized. The Polar Sea was in danger of being scrapped before we passed this bill.

There is no denying that we need to build a new icebreaker fleet for our Arctic economic future, and for the Coast Guard and Navy Arctic missions. But, these specialized vessels will take up to 10 years to build. In the meantime, we want to make sure U.S. companies can continue to develop business in the Arctic and keep U.S. Arctic operations running. It is very fitting that the icebreakers that work fine now are not dismantled.

This legislation prevents the Polar Sea from being scrapped and helps us protect the resources we need to serve interests in the Arctic. This bill stipulates that we won't scrap our current icebreakers if it is more cost-effective to keep them, and it will make sure our icebreakers are seaworthy so the crews don't go out on faulty equipment. These ships won't go away unless it can be proven that it makes financial sense to replace them.

Last January, the world watched as the Healy icebreaker successfully cut through a path in the Arctic Sea to deliver fuel to Nome, AK. The Healy is primarily a research vessel but was forced to do the job because our two heavy-duty icebreakers were not currently in active status; they were being repaired.

This bill also ensures that the Polar icebreaking fleet will continue to be based in Seattle. Refurbishing a large icebreaker, such as the Polar Sea, can take roughly 5 years and employ 300

workers. For us, this means ship-building jobs, it means an impact in keeping smaller shipyards in Washington State busy, and it means keeping icebreakers that help save places such as Nome, AK, by cutting paths through the ice.

However, that is not the only thing in this legislation that I am proud we got a decision on. Our economy in Alaska, Washington, Oregon, California, and Hawaii has been threatened by hundreds of thousands of tons of debris washing ashore as a result of the tragic tsunami in Japan nearly 2 years ago.

That is why this legislation asks NOAA to take a closer look at tsunami debris and makes sure we are putting an accurate assessment in place to protect the west coast. If NOAA decides tsunami debris is a severe marine debris event, then they will need to present a specific coordination plan developed to meet that threat. And they will need to work with local governments, counties, and tribes to ensure there is a coordinated effort to protect our economy and environment from tsunami debris. In the Northwest we have already seen ships, docks, and various other forms of debris float ashore. Oftentimes, our local communities have had to pay more than their share of the burden and expense of cleaning up the tsunami debris.

With over 165,000 jobs and nearly \$11 billion in our coastal economy from fishing, to tourism, to various activities, we want to make sure that tsunami debris does not hurt our coastal economies. All we need to do is ask the mayor of Long Beach, who said, "An uncoordinated or unmanaged response to this debris event is a blow that Long Beach and the Columbia-Pacific region cannot endure." This is about getting a plan in place for local communities to coordinate, to have opportunities to work together, and to remove debris as cost-effectively as possible.

Third, this legislation has important language protecting Washington waterways in very precious parts of the Pacific Northwest. Recently, Canada announced that over the next decade they would double the production of the Alberta tar sands oilfields. Today, fifteen billion gallons of oil is already shipped through Washington waters. A spill in a heavily populated area, around the San Juan Islands or in the waters of the Strait of Juan de Fuca could cause billions of dollars of damage and harm businesses throughout the region. The response cannot be, especially if the spill occurs in Canadian waters, don't worry, just call the Americans.

I am proud this legislation looks at the potential threat caused by supertankers and whether they are equipped to respond to a spill that could occur from corrosive tar sand oil. Thanks to this legislation, the Coast Guard will have to prepare a study that will analyze how much vessel traffic will increase in the region due to the proposed increase in tar sands oil produc-

tion and transportation, whether the movement of tar sands oil would require navigating through our fragile waters, it would look at the oil spill response plans and response capability in the U.S. and Canada's shared waters, identify the tools needed to clean up this kind of an oil spill and estimate the cost and benefits to the American public of moving this oil through our waterways. And, this assessment has to be completed in 180 days.

I want to make sure our fishing fleets, our restaurants, our resort economy, and everything that is so important to us in the Northwest, is protected.

This legislation is good news for coastal communities, for jobs in Washington State and across our country, and I wish to thank both the chair and the ranking member of the subcommittee and full committee for making sure we have given the Coast Guard the resources it needs to protect our economy, keep our public safe, and protect our environment. We have much more work to do, but in a Congress that is down to its waning days, it is important that this legislation has seen action and is on its way to the President's desk.

I thank the President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

LIMITING SPENDING

Mr. SESSIONS. Mr. President, something special happened earlier today. An important principle is being established in the Senate, and that principle is that we will adhere to the budget agreement we made with the American people 16 months ago. In other words, we agreed, in at least certain accounts, to have a limit on spending. Spending will still increase every year over 10 years, but not as much as it would have increased. We agreed that we would abide by the limit and we would not spend more than that.

We have had four consecutive bills brought to the floor of this Senate—cavalierly, I would suggest—directly in violation of the spending limits we agreed to just a little over a year ago. As a result, I or some other Member of the Senate made a budget point of order. That budget point of order said that the legislation before us violates the budget limits, it spends too much, and we object.

Each time, our Democratic leadership moved to waive the budget point of order. To forget the budget. To spend above the budget. To not worry about the budget. Just spend the money because this is a good bill, they said. It has good proposals, and anybody who opposes it is against these good proposals.

So we now have had four votes and for all four of those votes, the Senate has said: No, we are not going to waive the budget. We are going to live within the agreement of spending we reached just last year.

There is no reason these bills couldn't have been brought in within the budget. There has been no reason they shouldn't be within the budget. Some were not over the budget spending by much, but we have to adhere to that principle. I have been very proud that Members of this Senate in sufficient numbers have said: No, we are going to honor the promise we made to the American people, and we are going to do that, and we are not going to bust the budget.

So I think it is sending a message, and the message needs to be received.

Initially, the spin in this body has been, Oh, Senator SESSIONS and his objectors don't want any good legislation to pass. They are just using the Budget Act to block it.

But I think we are changing that now, and I think the American people are going to see what has happened. We have had seven votes on the budget. The last four have been successful in enforcing the budget. I think the American people are going to start asking, why are you, Senator, voting to waive the budget every single time? Didn't you agree to certain spending limits? Every time a bill came up, why did you vote to spend more than you agreed to spend, spend more than you told us you were going to spend?

I think that is the message that ought to be coming out of here. I will go a little further. If somebody has to have legislation passed, don't blame the people who raised the budget point of order; blame yourself if you don't bring it to the floor in a way that does not violate the budget. That is important. I think that is being established now, and that is what I think we should expect of anyone who wants to move legislation in the U.S. Senate. If a Senator wants to get the vote and get the legislation passed, be sure they comply with the agreement we made.

What agreement was that? Sixteen months ago, in August, the debt limit had been reached, and it was put off and delayed, and we got to the very last minute, and they reached this secret agreement—not publicly as it should have been, but we reached an agreement, and the agreement included at least some limits on spending. I didn't like the way it was done, but it did propose certain limits. It exempted 98 percent of Medicare spending from being cut. It exempted the food stamp program. Medicaid was totally exempted from any cuts. But many parts of the budget were controlled, had their spending levels controlled by the budget. As a result, the agreement was passed and the debt ceiling—the limit on the amount of money that can be borrowed by the U.S. Government—was raised by \$2.1 trillion.

We are now borrowing about 40 cents of every dollar we spend, and the Congress can limit, as the Constitution provides, how much the U.S. Government can borrow. We had just about reached that limit. Spending was going to have to drop 40 percent—right across